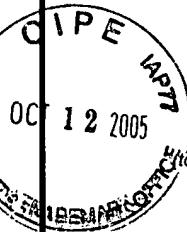


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Total Number of Pages in This Submission

7

Application Number	10/749,729
Filing Date	December 30, 2003
First Named Inventor	Jeffrey A. Humber
Group Art Unit	3751
Examiner Name	Unknown
Total Number of Pages in This Submission	7
Attorney Docket Number	1896-059

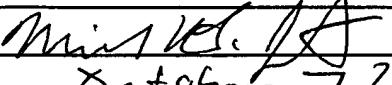
**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Checklist and Accompanying Petition <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):  <u>POSTCARD</u> <hr/> <hr/>
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**Remarks:**

Transmitted herewith are: Request for Reconsideration Under 37 CFR §1.111 in response to the third Office Action mailed September 22, 2005; and a prepaid Return Postcard. No additional fee is required at this time.

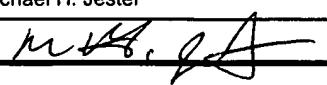
**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual Name	(Atty)	Michael H. Jester Reg. No. 28,022 A Professional Law Corporation
Signature	 October 7, 2005	
Date	✓	

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail (postage pre-paid) in an envelope addressed to: MS - AMENDMENT - NO FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on this date:

October 7, 2005

Typed or printed name	Michael H. Jester		
Signature		/	Date 10-7-05 /



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent application of: )  
                                  )  
Jeffry A. Humber             ) Confirmation No.: 9048  
                                  )  
Serial No.: 10/0749,729       ) Group Art Unit: 3751  
                                  )  
Filed: December 30, 2003      ) Examiner: Charles E. Phillips  
                                  )  
For: *Closet Flange with Knock out*      )  
*Retainer*                    )

**REQUEST FOR RECONSIDERATION UNDER 37 CFR §1.111**

MS - AMENDMENT - NO FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In response to the third, non-final Office Action mailed September 22, 2005, please reconsider the patentability of the pending claims based on the following remarks.

In the third Office Action, Claims 1-4, 6-9, 11-12 and 14-18 were rejected for alleged obviousness over Fell, Sr. in view of Pisklula. Because of the amendments to independent Claim 20, the examiner advised that Claim 20 stands as withdrawn from consideration as being directed to a non-elected invention. Claims 11-12 and 14-19 were rejected under 35 USC §112, first paragraph, for allegedly failing to comply with the written description requirement.

The examiner cites Fig. 3 of Fell, Sr., and alleges that it would have been obvious in light of Pisklula "to provide for the knockout of the former (Fell, Sr.) to be located and sized as taught by the latter (Pisklula) in order to prevent entry into the pipe." This obviousness rejection is respectfully traversed.